

USPTO  
10/7/2004  
120503

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. 01-40 D1 Total Pages 52

First Named Inventor or Application Identifier

ORR et al.

Title Portable Pressure Transducer, Pneumotach for use therewith, and Associated Methods

Express Mail Label No. EV 196252757 US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)2.  Specification [Total Pages 28]  
(preferred arrangement set forth below)  
-Descriptive Title of the Invention  
-Cross References to Related Applications  
-Statement Regarding Fed sponsored R & D  
-Background of the Invention  
-Brief Summary of the Invention  
-Brief Description of the Drawings (if filed)  
-Detailed Description  
-Claim(s)  
-Abstract of the Disclosure3.  Drawing(s) (35 U.S.C. § 113) [Total Sheets 6]4.  Oath or Declaration [Total Pages 3]

a.  Newly executed (original or copy)

b.  Copy from a prior application (37 C.F.R. § 1.63(d))  
(for continuation/divisional with Boxes 19 and 20 completed)  
[Note Box 5 below]

i.  DELETION OF INVENTOR(S)  
Signed statement attached deleting  
inventor(s) named in the prior application,  
see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

c.  Unsigned

5.  Incorporation By Reference (useable if Box 4b is checked)  
The entire disclosure of the prior application, from  
which a copy of the oath or declaration is supplied  
under Box 4b, is considered as being part of the  
disclosure of the accompanying application and is  
hereby incorporated by reference therein.6.  Application Data Sheet per 37 C.F.R. § 1.76

[Total Pages 2]

7. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 U.S.C. § 119(e)/120/365(c)  
based on the following provisional, nonprovisional, and/or PCT international applications.

	Application No.	Filing Date
(1)	10/139,920	May 7, 2002
(2)	60/289,540	May 7, 2001
(3)		
(4)		

8.  Prior application is assigned to Respirronics, Inc. by Assignment  
recorded May 7, 2002 Reel 012874 Frame(s) 0897.

**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s))  
(Please return recorded assignment to the undersigned)

10.  37 C.F.R. § 3.73(b) Statement  Power of Attorney  
(when there is an assignee)

11.  English Translation Document (if applicable)

12.  Information Disclosure  Copies of IDS Citations  
Statement (IDS)/PTO-1449

13.  Preliminary Amendment (to be entered before calculating fees)

14.  Return Receipt Postcard  
(Should be specifically itemized)

15.  Certified Copy of Priority Document(s)  
(if foreign priority is claimed)

16.  Certificate of Mailing by Express Mail

17.  Non-publication Request and Cert. under 35 U.S.C.  
§ 122(b)(2)(B)(i) (attach copy of RI-186 Form (PTO/SB/35)).

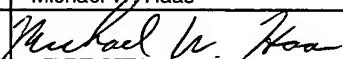
18.  Other: Formal Drawings (6 pages)

19. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information: Continuation  Divisional  Continuation-in-part (CIP) of prior application No. 10/139,920Prior application Information: Examiner: Jenkins, J. Group/ArtUnit: 2855

**21. CORRESPONDENCE ADDRESS**

Customer No.

30031

Name	Michael W. Haas	Reg. No.	35,174
Signature		Date	December 5, 2003

# FEE TRANSMITTAL

(Effective 10/01/2003)

"Express Mail" Label No. EV 196252757 US

**TOTAL AMOUNT OF PAYMENT** \$ 770.00

Application Number	Not Yet Assigned
Filing Date	December 5, 2003
First Named Inventor	ORR et al.
Confirmation Number	Unknown
Group Art Unit	Unknown
Examiner's Name	Unknown
Attorney Docket No.	01-40 D1

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																																																																																								
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number 50-0558 Deposit Account Name Respiromics, Inc.		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or declaration</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1811</td><td>100</td><td>1811</td><td>100</td><td>Certificate of Correction</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>576</td><td>25</td><td>576</td><td>25</td><td>Additional filing receipt, duplicate or corrected due to applicant error</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for response within first month</td><td></td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for response within second month</td><td></td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for response within third month</td><td></td></tr> <tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for response within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,010</td><td>2255</td><td>1,005</td><td>Extension for response within fifth month</td><td></td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive unavoidably abandoned application</td><td></td></tr> <tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive unintentionally abandoned application</td><td></td></tr> <tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr> <tr><td>1814</td><td>110</td><td>2814</td><td>55</td><td>Statutory Disclaimer</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of property)</td><td></td></tr> <tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 C.F.R. § 1.129(a))</td><td></td></tr> <tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination</td><td></td></tr> <tr> <td colspan="4">Other Fee (specify) _____</td> <td>SUBTOTAL (3)</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="6">         SUBTOTAL (1) \$ 770.00          SUBTOTAL (2) \$ 0.00       </td> </tr> <tr> <td colspan="6">         * Enter Highest Number Previous Paid For          Large Entity Fee (\$) Small Entity Fee (\$) Fee Description          1001 770 2001 385 Utility filing fee          1002 340 2002 170 Design filing fee          1003 530 2003 265 Plant filing fee          1004 770 2004 385 Reissue filing fee          1005 160 2005 80 Provisional filing fee       </td> </tr> </tbody> </table>					Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - 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SUBMITTED BY Typed or Printed Name Michael W. Haas Signature Michael W. Haas Date December 5, 2003 Reg. Number 35,174 Deposit Account Number 50-0558																																																																																																																																																																																										

## Certificate of Mailing by "Express Mail"

EV 196252757 US

"Express Mail" label number

December 5, 2003

Date of Deposit

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450.



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Signature of person mailing correspondence

Michael W. Haas

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Typed or printed name of person mailing correspondence

Note: Each paper must have its own certificate of mailing by "Express Mail".

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT APPLICATION of

Inventor : ORR et al.  
Appln. No. : Not Yet Assigned (DIV. of 10/139,920)  
Conf. No.: Unknown  
Filed: December 5, 2003  
Title: PORTABLE PRESSURE TRANSDUCER, PNEUMOTACH FOR USE THEREWITH, AND ASSOCIATED METHOD  
Group Art Unit : Unknown  
Examiner : Unknown  
Docket No. : 01-40 D1

\* \* \* \* \*

December 5, 2003

**FILING OF FORMAL DRAWINGS**

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

Please accept herewith the 6 sheets of formal drawings on 8½ x 11 size paper of Figures 1-8;

which are in lieu of the informal drawing(s) filed herewith.

Each sheet of drawings includes the identifying indicia suggested in 37 C.F.R. § 1.84 (c) on the front of the drawing.

Respectfully submitted,

By Michael W. Haas

Michael W. Haas  
Reg. No.: 35,174  
Tel. No.: (724) 387-5026  
Fax No.: (274) 387-5021

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on December 5, 2003 with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to:

Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450.  
"Express Mail" mailing number: EV 196252757 US.

Michael W. Haas  
Michael W. Haas, Reg. No. 35,174